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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2018 AUG 31 A 11: 52

STEPHEN C. DRIES
CLERK

BEAU JAMMES,
Plaintiff,

v.

Case No. 18-cv-493

JOHN DOE 1,
JOHN DOE 2, and
JOHN DOE 3,

JURY TRIAL DEMANDED

Defendants.

FOURTH AMENDED COMPLAINT

I. NATURE OF ACTION

101. This is a civil action brought pursuant to 42 U.S.C. §1983 in order to obtain damages as a result of the false arrest and excessive force of Defendants (all of whom are employees of the Appleton Police Department) which resulted in unnecessary loss of liberty, pain and suffering and emotional distress in violation of the Fourth and Eighth Amendments to the United States Constitution.

II. JURISDICTION AND VENUE

201. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§1331 (federal question jurisdiction), and 1343(a) (3) (42 U.S.C. §1983 jurisdiction).

202. The Eastern District of Wisconsin is the proper venue for this action because Mr. Jammes claims arose in principle part in Outagamie County, within the geographical boundaries

of the Eastern District of Wisconsin within the meaning of 28 U.S.C. §1391(b).

III. PARTIES

A. Plaintiff

301. Plaintiff Beau Jammes is an adult resident of Wisconsin

B. Defendants

302. John Doe 1 is, on information and belief, an adult resident of Wisconsin.

303. At all times to this case, John Doe 1 was employed by Appleton Police Department as a police officer.

304. John Doe 2 is, on information and belief, an adult resident of Wisconsin.

305. At all times to this case, John Doe 2 was employed by Appleton Police Department as a police officer.

306. John Doe 3 is, on information and belief, an adult resident of Wisconsin.

307. At all times to this case, John Doe 3 was employed by Appleton Police Department as a police officer.

IV. ALLEGATIONS OF FACT

401. Mr. Jammes was on probation supervision for one count of Resisting/Obstructing an Officer in Outagamie County Case Number 15CM5. The offense was committed 12/30/14, convicted 05/05/15, and sentenced to one year which was withheld the same day, placing Mr. Jammes on one year probation.

402. On October 12, 2015, three Appleton Police officers, John Doe 1, John Doe 2, and John Doe 3, (collectively Defendants)

unlawfully arrested Mr. Jammes. The Defendants claimed Mr. Jammes held a switch blade knife in his right hand, but the charges were later DISMISSED because no where in the surveillance video from cameras from around the Appleton Public Library did Mr. Jammes have possession of a switch blade knife in his hand.

403. During the unlawful arrest, the Doe Defendants repeatedly threw Mr. Jammes against the wall from which he suffered serious injuries, severe pain and suffering. Further, Mr. Jammes' probation in Outagamie County Case Number 15CM5 was revoked on December 1, 2015, based on the allegations from Defendants unlawful false arrest, resulting in 221 days of unlawful incarceration.

V. VIOLATION OF LAW

501. Mr. Jammes repeats and realleges here each paragraph of this Fourth Amended Complaint as set forth herein.

502. The Defendants, through their false arrest caused Mr. Jammes to suffer loss of liberty in violation of the Fourth Amendment to the United States Constitution.

503. As a result of the Defendants' excessive force, Mr. Jammes experienced pain and suffering and emotional distress in violation of the Eighth Amendment to the United States Constitution.

VI. RELIEF WANTED

WHEREFORE, plaintiff Beau Jammes respectfully requests judgment against Defendants as follows:

1. Entering judgment for plaintiff and against each defendant, jointly and severally;
2. Awarding compensatory damages against all Defendants;

3. Awarding punitive damages against all Defendants; and
4. Awarding all such relief as the Court deems just and equitable

BEAU JAMMES pursuant to 28 U.S.C. §1746 declares under penalty of perjury that the aforementioned is true and correct.

Dated 28 th day of August, 2018.

Beau Jammes 623219
Beau Jammes #